

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION**

**In Re: CERTIFICATION PROCESS OF     )  
GAS SERVICE EMPLOYEES             )**

**DOCKET NO. 3438**

**UPDATED RESPONSE OF THE ATTORNEY GENERAL  
TO LEGAL ISSUES RAISED BY THE COMMISSION  
AND POSITION OF THE ATTORNEY GENERAL WITH RESPECT TO THE  
DRAFT RULES AND REGULATIONS GOVERNING THE  
CERTIFICATION PROCESS OF GAS SERVICE EMPLOYEES**

At this point, the Attorney General has no changes to offer with respect to his “Response of the Attorney General to Legal Issues Raised by the Commission” filed with the Commission on July 24, 2002.

Further, in view of the litigation currently pending in U.S. District Court with respect to a number of the statutes relevant to the proposed rules and regulations, in view of the Attorney General’s motion for a stay filed with the Commission on February 5, 2003, and in view of the fact that the Attorney General is concerned that further representations by state authorities in the instant proceeding could jeopardize the interests of the People in U.S. District Court, the Attorney General believes it would not be in the best interests of the People and the State of Rhode Island for the Attorney General to take a position at this time in this administrative docket with respect to the draft rules and regulations governing the certification process of gas service employees. The Attorney

General does, however, reserve any and all rights to continue to participate on behalf of the People and the State of Rhode Island in these proceedings.

Respectfully submitted,

**PATRICK C. LYNCH**  
**ATTORNEY GENERAL OF THE**  
**STATE OF RHODE ISLAND**

By his attorney,

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William K. Lueker (#6334)  
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Dated: February 5, 2003

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the within document was served this 5<sup>th</sup> day of February, 2003, via first class mail, postage prepaid, upon each person designated on the official service list in this proceeding.

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February 5, 2003

***BY HAND DELIVERY***

Luly Massaro, Clerk  
Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

Re: **Certification Process of Gas Service Employees, Docket No. 3438**

Dear Ms. Massaro:

Enclosed for filing in the above-captioned proceeding are an original and nine (9) copies of the Updated Response Of The Attorney General To Legal Issues Raised By The Commission And Position Of The Attorney General With Respect To The Draft Rules And Regulations Governing The Certification Process Of Gas Service Employees.

Very truly yours,

William K. Lueker (#6334)  
Special Assistant Attorney General

Enclosures  
cc: Service List